

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA ex rel.)	
IAN LOCKHART,)	
)	
Petitioner,)	
)	No. 08 C 2374
vs.)	
)	The Honorable
DONALD HULICK, Warden)	Wayne R. Andersen,
)	Judge Presiding.
Respondent.)	

**MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD TO
THE PETITION FOR WRIT OF HABEAS CORPUS**

NOW COMES RESPONDENT, Donald Hulick, by and through his counsel, LISA MADIGAN, Attorney General of Illinois, and moves this Court for a Forty-five (45) day extension of time from July 28, 2008 to September 11, 2008, in which to file a responsive pleading in this cause.

An affidavit in support of this motion is attached.

Respectfully submitted,

LISA MADIGAN
Attorney General of Illinois

BY: s/ Jay Paul Hoffmann
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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

AFFIDAVIT

I, Jay Paul Hoffmann, being first duly sworn upon oath, depose and state:

1. I am the Assistant Attorney General assigned to this case.
2. Respondent's responsive pleading is currently due on July 28, 2008. This is respondent's first request for an extension of time in this action.
3. In addition to his duties as supervising attorney regarding appeals in cases brought under the Illinois Sexually Violent Persons Commitment Act, affiant is also currently responsible for the preparation of pleadings, oral argument and/or other proceedings in other cases including in the United States District Court for the Northern District of Illinois, respondent's answer to the petition for habeas corpus in *Michael Threlkeld*, No. 08 C 1479, in the Illinois Appellate Court, Third District, the People's brief in *People v. James Russell Johnson*, No. 2-08-0505, in the Circuit Court of Coles County, the People's answer to defendant's postconviction petition in a capital murder case in *People v. Mertz*, No.01 CF 392, in the Circuit Court of Henry County, preparation and argument on the defendants postconviction petition in a murder case in *People v. Oaks*, No. 92 CF 235, and in the Circuit Court of Cook County, Illinois, preparation and argument on petitioner's motion for leave to pursue an interlocutory appeal in *Barksdale v. Adams*, No. 06 CR 80008.
4. In addition, affiant is attempting to obtain the state-court documents necessary to prepare a response to the petition, but is unsure when he will obtain those documents.
5. This request is made in good faith and not for the purpose of delay.

WHEREFORE, for the foregoing reasons, respondent requests that this Court grant him an extension of time up to and including September 11, 2008, in which to answer or otherwise plead in the instant case.

FURTHER AFFIANT SAYETH NOT.

July 17, 2008

s/ Jay Paul Hoffmann
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CERTIFICATE OF SERVICE

I hereby certify that on July 17, 2008, I electronically filed Respondent's **Motion For Extension Of Time To Answer Or Otherwise Plead To The Petition For Writ Of Habeas Corpus** and accompanying **Notice Of Motion** with the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division using the CM/ECF system and on the same date mailed a copy of this document via the United States Postal Service to the following non-CM/ECF user:

Ian Lockhart, # R18787
711 Kaskaskia Street
P.O. Box 711
Menard, Illinois 62259

Respectfully submitted,

s/ Jay Paul Hoffmann
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